



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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August 19, 2013

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Reply Comments of the Washington Utilities and Transportation Commission.

In the Matter of Numbering Policies for Modern Communications, WC Docket No. 13-97, IP-Enabled Services, WC Docket No. 04-36, Telephone Number Requirements for IP-Enabled Services Providers, WC Docket No. 07-243, Telephone Number Portability, CC Docket No. 95-116, Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92, Connect America Fund, WC Docket No. 10-90, Numbering Resource Optimization, CC Docket No. 99-200.

Dear Ms. Dortch:

The Washington Utilities and Transportation Commission (UTC), respectfully submits the following reply comments on the Federal Communications Commission's (Commission) Notice of Proposed Rulemaking, Order and Notice of Inquiry (NPRM/NOI) released on April 18, 2013 in the above-captioned proceedings. In the NPRM/NOI, the Commission seeks input on its proposal to allow direct access to telephone numbers by Voice over Internet Protocol (VoIP) providers and other issues regarding numbering resources.

The UTC has reviewed the comments filed in the NPRM/NOI and shares the view of several state regulatory commissions that telephone numbers are a finite, valuable public resource, and number resources should be conserved with the goal to maximize efficiency and effectiveness of number resource assignments.¹

¹See Joint Comments of the Public Service Commission of Wisconsin, the Oregon Public Utility Commission, the Idaho Public Utilities Commission, the Nebraska Public Service Commission, and the Minnesota Department of Commerce; Joint Comments of the Pennsylvania Public Utility Commission, the New York Public Service Commission, and the Indiana Utility Regulatory Commission; comments of the Pennsylvania Public Utility Commission, Michigan Public Service Commission, and California Public Utilities Commission.

The UTC and these other state commissions have been very successful in meeting the needs of service providers that use numbering resources while also protecting consumers from premature exhaustion of area codes. For example, Washington currently has four area codes throughout the state: 206, 253, 360, and 509, and one overlay area code, 564, reserved for the western Washington region. Due to proactive efforts by the UTC, two area codes that had been at risk of exhaustion since 2000 (360 and 509) have been extended by seven and 25 years, respectively, and will not be exhausted until 2017 for area code 360 and 2028 for 509.

It cannot be disputed that state commissions continue to play a valuable role in preserving numbering resources and minimizing the effects of numbering changes on their respective consumers. Accordingly, any Commission decision that would enable VoIP service providers direct access to numbering resources, even on a trial basis, disrupts ongoing and diligent efforts by state commissions to protect consumers from premature area code exhaustion, while providing service providers necessary, but not excessive, numbering resources to serve their customers.

Like other state commissions, the UTC strives to make timely decisions regarding safety valve requests from service providers for blocks of numbers to satisfy retail customers' requests for additional numbers. It also monitors administration of pooling and Local Number Portability (LNP) activities, semi-annual Numbering Resource Utilization Forecast (NRUF) filings, daily number resource requests, and area code relief investigations. The UTC strongly believes that any changes contemplated by the Commission as a result of the NPRM/NOI should not affect state commissions' abilities to continue monitoring future number resources. Providing direct access to VoIP service providers, even on a trial basis as requested by some VoIP service providers, will adversely affect the ability of states to continue to conduct these necessary number conservation functions.

The UTC asserts that the following processes or requirements are necessary for states to continue to efficiently monitor and address additional number requests:

1. All service providers should be treated equally from a number administration perspective.
2. State commissions should continue to have access to all tools required to effectively monitor service providers and their numbering requests.
3. The Commission should strengthen the existing federal-state numbering partnership by establishing an electronic referral process to facilitate any state commission reporting problems or expressing concerns. This process should include clear timelines for responding to specific state concerns.
4. The Commission should implement mandatory pooling in all rate centers across the country.
5. Shortcomings in the current numbering resource utilization forecast (NRUF) reporting system that result in numbers being reported as fully assigned even when they are not in service should be addressed in conjunction with any other number assignment changes contemplated by the Commission.
6. The Commission has given states access to NRUF data to enhance the state's ability to monitor numbering requests by carriers. It is equally important that states be granted

access to the porting data retained in the number portability administration center (NPAC) to better assess numbering requests by carriers.

The UTC also supports numbering requirements that are applied on a technology-neutral basis and which maintain a direct role for state commissions in preserving numbering resources. The UTC believes that granting direct access to numbering resources without state oversight would convey a distinct competitive advantage to VoIP service providers and would unreasonably disturb the important public interest role state commissions serve in the telephone numbering assignment process. Accordingly, the UTC opposes granting VoIP service providers direct access to telephone numbering resources without continued state commission oversight.

Respectfully submitted this 19th day of August 2013

By: _____
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